

## Message Text

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44

ORIGIN L-03

INFO OCT-01 EA-07 ISO-00 SCA-01 /012 R

DRAFTED BY L/EA:PMNORTON:MAD

APPROVED BY L:EGVERVILLE

EA - MR. ZURHELLEN (DRAFT)

EA/J - MR. LAMBERTSON(DRAFT)

L/SCA-MR. KERLEY (DRAFT)

L/SFP - MR. FIELDS (DRAFT)

----- 107857

R 151530Z SEP 75

FM SECSTATE WASHDC

TO AMEMBASSY TOKYO

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E.O. 11652: N/A

TAGS: APER, ASEC, PORS

SUBJECT: CONSULAR OFFICER'S TESTIMONY IN COURT

REF: TOKYO 12776

1. DIFFICULT FOR DEPARTMENT TO ASSESS RISK TO RICHARDSON FROM HIS TESTIMONY. REFTEL IS UNCLEAR, MOREOVER, ON DEGREE OF NECESSITY FOR HIS APPEARANCE. REFTEL IMPLIES THAT TERRORISTS COULD STILL BE CONVICTED OF ARSON, ILLEGAL ENTRY, AND DESTRUCTION OF FOREIGN GOVERNMENT SYMBOLS WITHOUT RICHARDSON'S TESTIMONY. DEPARTMENT WOULD CONCUR THAT HE TESTIFY ONLY IF ADDITIONAL IMPACT OF SUCH TESTIMONY WILL BE SIGNIFICANT, IF THAT IMPACT CLEARLY OUTWEIGHS POSSIBLE RISK TO RICHARDSON, AND IF RICHARDSON HIMSELF REMAINS WILLING TO TESTIFY.

2. SHOULD YOU DECIDE TO HAVE RICHARDSON TESTIFY ON THIS BASIS, HIS TESTIMONY WOULD IN ANY EVENT BE AUTHORIZED ONLY ON FACTUAL MATTERS OF WHICH RICHARDSON WAS OBSERVER. HE OBVIOUSLY MAY NOT TESTIFY ON ANY CLASSIFIED MATTERS. WE PRESUME THAT NO CLASSIFIED MATTERS WILL IN FACT ARISE.

AS A MATTER OF FORM, HOWEVER, THESE CONDITIONS ON TESTIMONY

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SHOULD BE CONVEYED TO LOCAL PROSECUTOR IN ADVANCE SO THAT

THERE IS ABSOLUTELY NO QUESTION AS TO SCOPE OF TESTIMONY  
IN THIS RESPECT. KISSINGER

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 15 SEP 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** buchant0  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975STATE218910  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** PMNORTON:MAD  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D750319-0373  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19750951/aaaabtkx.tel  
**Line Count:** 63  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN L  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 TOKYO 12776  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** buchant0  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 16 JUL 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <16 JUL 2003 by MartinML>; APPROVED <29 DEC 2003 by buchant0>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
06 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** CONSULAR OFFICER'S TESTIMONY IN COURT  
**TAGS:** APER, ASEC, CGEN, (RICHARDSON, SPECE)  
**To:** TOKYO  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006